

Remarks and Interview Report

In the interview on June 7th, the undersigned and the Examiner discussed the remarks submitted with the Amendment Accompanying RCE, which explains why the application appeared in condition for allowance or appeal, despite the final Office Action dated April 16, 2004. The Examiner agreed that no restriction requirement would be needed.

Applicant's representative argued that the Silverman reference related (at best) to the user's ability to control the number of items displayed and did not disclose "selection" of particular indicators or links. Applicant's representative reviewed a dictionary/thesaurus found in the Examiner's office, which defined "selected" as "chosen in preference to another." The Examiner asked that the claim language be amended to clarify the meaning of "selected" explicitly, without relying on dictionary definitions, and the phrase "singles out at least one digital information block" was recommended. The term "singles out" is believed synonymous with "selects" and the term "at least one" is believed synonymous with the word "a." Accordingly, applicant does not believe that the claim amendments presented here alter the claims' scope in any material respect.

With the amendments to the proposed language, the Examiner agreed that the distinction from Silverman is clear and expressed in the claim language. Accordingly, the Examiner will review the application as now claimed again but agreed not to repeat the rejections based on Silverman.

While amending the claims, applicant has made certain voluntary clarifications and corrections, which, aside from the addition of punctuation of subparts, may be described as follows:

Claim 1: In part (c), the language is clarified for consistency with the buffer memory structure of the claim.

Claim 29: In part (d), "receiving" is changed to "carrying" as the latter word is more appropriate for a communications channel.

Claim 35: The "whereby" clause, which is non-limiting, is moved to the end of the claim, after the "wherein" clause.

Claim 107: The word "the" is deleted to avoid any potential antecedent basis problem.

Claims 116, 121-124: "Requesting" is changed to "selecting" to conform language with the remainder of the claim.

In addition, the Examiner asked about where the specification disclosed several elements. With respect to claims 116 and 134, the undersigned explained the locations in the interview, and the matter was resolved. The Examiner asked for further explanation, or an amendment, with respect to part (e) of claim 128. In response, applicant amends claim 128, part (e) to change "maintains" to "creates," which should overcome any concern with this reference. Please note that there is no implication intended that the record must be preserved for any particular length of time.

The undersigned thanks the Examiner for the courtesy in the interview. If the Examiner has any further questions, please feel free to call applicant's undersigned attorney.

Respectfully submitted,

ANDREW DIRIENZO  
by his attorney



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Serial No. 09/439,343

Page 29